

PAYMENT DATA USE RECOMMENDATIONS DRAFT – 8/15/06

PAYMENT: health information to payers for purposes of payment, collection and billing.

Recommendations for acceptable and unacceptable data use policies

Discussion Question(s)

1. How important is it for providers to be able to disclose identifiable health care information for payment purposes without patient consent?

Assumptions (key points to be added following group discussion)

Reccs: Use of Electronically Released Health Information for Payment Purposes

1. Current controlling law (Wisconsin or HIPAA) should set the precedent for:
 - a. Which information can be released electronically for payment purposes
 - b. Which entities can receive this information
 - c. Which entities can receive identified (vs. de-identified) information and when.
2. (recommendations to be added following group discussion)

Current Controlling Law (Wisconsin or HIPAA) – and Suggested Changes

Note: For our 8/21 meeting, please be prepared to point out any areas in the grid below where you would like to recommend a law change as part of the eHealth Action plan.

		Identified Health Information to payers for payment purposes		
		Disclose without Consent	Comments	Sugg.Change (yes or no)
Type of health information	General health information	Yes	Can release only what is necessary to pay bill (“Need to Know” per HIPAA)	
	Mental health	No	May be released to DHFS or county agency if designated by DHFS as a payer under Wisconsin law.	
	Developmental disabilities	No		
	Alcohol/drug abuse treatment	No		
	Communicable disease	Yes	Can release only what is necessary to pay bill (“Need to Know” per HIPAA)	
	HIV test results	No		
	Genetic testing	Yes	Can release only what is necessary to pay bill (“Need to Know” per HIPAA). Insurers can’t require genetic testing, condition coverage or rates on testing. Insurers can’t require individuals or providers to reveal if a test has been completed or what its results are. No specific state or federal protection, federal law pending.	
	Sexual assault	Yes	Can release only what is necessary to pay bill (“Need to Know” per HIPAA)	
	Domestic violence	Yes		
	Adoption	Yes		

Discussion (key points to be added following group discussion)

Considerations (key points to be added following group discussion)